

REMARKS/ARGUMENTS

Claims have been amended to further clarify the subject matter regarded as the invention (see, for example, claim 104). The Examiner's rejection is fully traversed below.

Claim Rejections under 35 U.S.C. §112

In the Office Action, the Examiner has rejected claim 91 as failing to comply with the enablement requirement.

Figure 25 of the present application depicts a time adjustment routine. As noted in the specification, the routine (398) includes a number of blocks that may be embodied in software instructions stored in the memory (36) depicted in Figure 2 (specification, page 20). As such, it is abundantly clear that the claimed features of changing a minimum bet, a payoff percentage, brightness and theme can be performed when the gaming machine is operational and software instructions are being executed.

It is also abundantly clear that when a gaming machine is operational, it can allow a user to play a gambling game (see, for example, figure 1 of the present application depicting a gaming machine with input/output device which when operational can allow a player to play a gambling game). Accordingly, it is respectfully requested that the Examiner withdraw the rejection under 35 U.S.C. §112.

Claim Rejections under 35 U.S.C. §103

In the Office Action, the Examiner has rejected claims 91-94, 97, 100-102 and 103-113 under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 6,254,483 (*Acres*) in view of U.S. Patent No. 6,048,269 (*Burns et al.*), U.S. Patent No. 6,354,943 (*Miura*), and U.S. Patent No. 5,611,730 (*Weiss*).

Claim 91 recites a *controller for a gaming unit that is programmed to change a minimum bet to be inputted via the input device of the same gaming unit*. It is respectfully submitted that the Examiner has not properly addressed this claimed feature. More particularly, the Examiner has noted that *Acres* discloses that the

“configuration workstation is programmed to monitor various gaming parameters such as the time the interconnected machines are played and that configuration parameters are implemented by downloading the data to respectively EGM’s or the configuration parameters are already installed” (Office Action, pages 3-4). However, it is respectfully submitted that this assertion does not address the claimed features of a controller being programmed to change a minimum bet (or any other feature) for its own electronic gaming machine.

It is also noted that the Examiner has asserted that in light of *Burns* “it is known and desirable that the use of the system in association with electronic gaming machines eliminates the necessity of having slot machines dedicated to a particular amount of wager” (Office Action, page 5).

However, it is respectfully submitted that this assertion does not address the claimed feature of a controller being programmed to change a minimum bet for a gaming machine that includes the controller. Furthermore, it is respectfully submitted that the Examiner has not addressed any one of the claimed features of: (a) changing a minimum bet, (b) a payoff percentage, (c) brightness and d) a theme for an electronic gaming unit in response to the time signal generated by a time generator of the gaming machine. Instead, the Examiner has merely asserted that in view of *Acres* “machine behaviors such as game speed, pay back percentage, game appearance are changed in response to a signal from one of a number of variables, such as time (Office Action, page 5). It is respectfully submitted that this general assertion does not address changing any one of the specific claimed features (a, b, c and d) for an electronic gaming machine in response to a time signal.

In view of the foregoing, it is respectfully submitted that the Examiner’s rejection of independent claims is improper and should be withdrawn.

Furthermore, it is respectfully submitted that the Examiner’s rejection of claims 101, 102, 112 and 113 is improper for additional reasons. More particularly, the Examiner has asserted that *Acres* discloses “altering the main or bonus games.” To support this assertion, the Examiner has noted that *Acres* teaches:

"In addition to the foregoing it would be desirable to change the manner in which the player perceives the EGM. In other words, it would be desirable to change the sound effects and appearance of the machine in response to time, the rate at which the interconnected machines are played, or the status of a player." [Acres, Col. 3, lines 15-20]

It is respectfully submitted that no factual evidence has been provided by the Examiner to support the assertion that *Acres* teaches "*a controller that is programmed to replace a first available bonus game for a second available bonus game in response to a time signal*" (claim 100, emphasis added).

Still further, it is respectfully submitted that the Examiner's rejection of claims 97 and 109 is improper and should be withdrawn. More particularly, the Examiner has rejected the claimed feature of a controller being "*programmed to change a maintenance schedule of its own gaming unit in response to a time signal*" (claim 97), solely based on the assertion the *Weiss* discloses "a maintenance system which generates maintenance request signals in real time for jackpot and fill notifications provided [through] the computer network to a pager of a maintenance person" (Office Action, page 7). It is respectfully submitted that sending a notification to a maintenance person does not address this claimed invention. Furthermore, the mere assertion that "maintenance of game machines is inherent to use of game machine," and "it is also notoriously well known that these types of systems need to have regularly scheduled maintenance performed" (Office Action, page 7, emphasis added) does not properly address the specific claimed features of a controller being "*programmed to change a maintenance schedule of its own gaming unit in response to a time signal*" (claim 97). In fact, it is very respectfully submitted that sending a notification to a maintenance person teaches away from a controller being programmed to change a maintenance schedule.

As such, although the Applicant does not accept the assertions and general allegations which are made by the Examiner, it is respectfully submitted that the assertions and general allegations made by the Examiner do not address the claimed features and therefore do not constitute a *prima facie* case of obviousness for the reasons noted above in addition to many other reasons which have been already submitted to the Examiner.

CONCLUSION

Based on the foregoing, it is submitted that the claims are patentably distinct over the cited art of record. Additional limitations recited in the independent claims or the dependent claims are not further discussed because the limitations discussed above are sufficient to distinguish the claimed invention from the cited art. Accordingly, Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 500388 (Order No. IGT1P492C1). Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER LAW GROUP LLP

/RMahboubian/
Ramin Mahboubian
Reg. No. 44,890

P.O. Box 1687
Cupertino, CA 95015-1687
(408) 255-8001